



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

AUG 2 2000

400 Seventh St., S.W.  
Washington, D.C. 20590

DOT-E 9997  
(EIGHTH REVISION)

EXPIRATION DATE: July 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Hodgdon Powder Company Inc.  
Shawnee Mission, KS
2. PURPOSE AND LIMITATION:
  - a. This exemption authorizes the transportation in commerce of muzzle-loading firearms kits ("Ammo Packs") containing certain Division 1.4S cap-type primers together with certain Division 4.1 smokeless powders for small arms and also with non-hazardous accessories, when packaged as prescribed herein. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.61(a), 175.3, 176.3, and 177.801 insofar as they relate to the shipment of Class 1 explosives with another hazardous or non-hazardous material in the same package.
5. BASIS: This exemption is based on the application of Hodgdon Powder Company Inc. dated June 27, 2000, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous materials description/proper shipping name	Hazard Class/ Division	ID Number	Packing Group
Articles, explosive, n.o.s (kit containing primers, cap type, and smokeless powder)	1.4S	UN0349	II

\* **Note:** Authorized explosives are: Primer caps approved in EX-8912144, EX-9503141 and EX-9611053; and smokeless powders for small arms approved in EX-9510130B, EX-9602001 and EX-9803092.

7. SAFETY CONTROL MEASURES: Packaging is as follows:

a. INNER PACKAGING - Inner packaging for Division 1.4S cap type primers must be a durable metal or plastic receptacle containing not more than 100 units each. Inner packaging for Division 4.1 smokeless powder for small arms which are in the form of powders or pellets must be a durable plastic receptacle with a metal lid containing not more than 114 grams (0.250 pounds) of solid propellant each. Inner packaging for Division 4.1 smokeless powders for small arms which are in the form of pellets may also be packed in sealed plastic "blister packed" receptacles, each containing not more than 59 grams (0.130 pounds.)

b. INTERMEDIATE PACKAGING - The intermediate packaging must be a durable plastic or fiberboard receptacle. Each muzzle-loading firearm "ammo pack" intermediate packaging may not contain more than one inner packaging of cap type primers and one inner packaging of smokeless powder for small arms, each containing not more than 114 grams (0.250 pounds) or two inner packagings of smokeless powder for small arms, each containing not more than 59 grams (0.130 pounds). The "ammo-pack" may contain hazardous materials and non-hazardous accessories, which may include, but are not limited to: lead bullets, cloth patches, wax lubricants, etc. The inner packagings containing hazardous materials must be prevented from movement within the intermediate packaging during transportation and separated from each other, as well as

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from the non-hazardous accessories, either by design (e.g., a molded plastic or fiberboard "case" immobilizing and segregating each individual hazardous and non-hazardous component of the "ammo pack") or by use of cushioning and partitioning materials within the intermediate packaging.

c. OUTER PACKAGING - The intermediate "ammo pack" packages must be placed in an outer DOT Specification UN 4G box. Each outer box may not contain more than twelve (12) intermediate packages.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. This exemption serves as a Competent Authority Approval (CA-9701014) issued by the Associate Administrator for Hazardous Materials Safety of the United States Department of Transportation, in accordance with Section 10.3 of the General Introduction of the International Maritime Organization's International Maritime Dangerous Goods Code and Part 1, Paragraph 1.1 of the International Civil Aviation Organization's Technical Instructions.

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each cargo vessel or cargo aircraft used to transport packages covered by this exemption. The shipper must furnish a copy of this exemption to the air carrier before or at the time the shipment is tendered.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

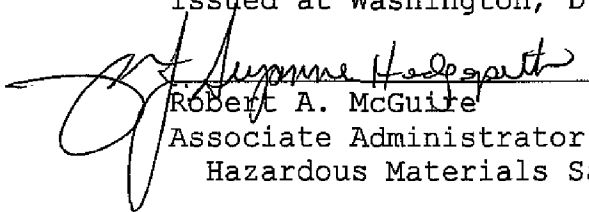
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:

  
Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(DATE)

Address all inquiries to: Associate Administrator for  
Hazardous Materials Safety, Research and Special Programs  
Administration, Department of Transportation, Washington, D.C.  
20590.

Attention: DHM-31.

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The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: SCWATSON/sdc